

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Patent Appeal No. 2005-0271)	Group Art Unit: 3643
Patent Application Serial No. 09/636,731)	Examiner: Rowan, Kurt C.
Filing Date: August 10, 2000)	Docket No.: 013174.0101PTUS (Formerly 9283/001)
For: Chest Fly Box System)	Confirmation No.: 9120
Inventor: Jerry Thomas Moore)	

Certificate Of Facsimile

I hereby certify that, on the date shown below, this correspondence is being sent via facsimile, addressed to: Clerk Of The Board, Board Of Patent Appeals And Interferences, United States Patent And Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. 571-273-0299.

March 7, 2005

Date

Elaine C. Von Spreckelsen

Elaine C. VonSpreckelsen

Clerk Of The Board
Board Of Patent Appeals And Interferences
United States Patent And Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**APPELLANT'S REQUEST TO RESCHEDULE HEARING AND
REQUEST FOR PARTICIPATION VIA TELEPHONE**

This paper is responsive to the Notice of Hearing mailed February 25, 2005.

Appellant hereby requests that the Oral Hearing in the above matter currently scheduled for Thursday, April 7, 2005, at 1:00 P.M. (EDT) be rescheduled for another day. Appellant also requests that Applicant's attorney be permitted to participate in the hearing via telephone.

Appellant's attorney will be unable to attend the hearing by telephone that day, as he is flying from San Diego and Indianapolis with his three children on April 7, 2005, and he is scheduled to be in flight at the time of the presently scheduled hearing at 1:00 PM Eastern time. This flight has been scheduled for more than two months and this is his children's spring break.

It is unlikely that Appellant's attorney will be able to attend in person at any time because of the costs of travel; therefore, participation by telephone is respectfully requested.

At this time, Appellant's attorney is available any day during Eastern time zone business hours, except Monday prior to 11:00 AM Eastern time, during the weeks of April 11 – 15, April 19 – 22, and April 25 – 29.

This paper is timely filed because it is being filed within 21 days after the mailing of the notice. A duplicate of this sheet is attached.

Respectfully submitted,
PATTON BOGGS LLP

Dated: 3/7/05

By: 

Carl A. Forest, Reg. No. 28,494

Tel: 303-894-6114

Fax: 303-894-9239

Customer No. 24283